

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

Alfredo LANDEROS-Vargas,

Defendant.

Mag. Case No. 08-16005M-SD

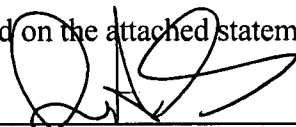
COMPLAINT FOR VIOLATION OF

Title 8, U.S.C., Section 1326  
Deported Alien Found In the  
United States

The undersigned complainant being duly sworn states:

On or about July 28, 2008, within the Southern District of California, defendant Alfredo LANDEROS-Vargas, an alien, who previously had been excluded, deported or removed from the United States to Mexico was found in the United States, without the Attorney General of the United States or his designated successor, the Secretary of the Department of Homeland Security (Title 6, United States code, section 202(3) and (4), and 557), having expressly consented to the defendant's reapplication for admission into the United States; in violation of Title 8, United States Code, Section 1326.

And the complainant states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.

  
Senior Border Patrol Agent

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS 29<sup>th</sup> DAY OF JULY 2008.

  
JAY R. IRWIN  
U.S. MAGISTRATE JUDGE

1 UNITED STATES OF AMERICA

2 v.


3 Alfredo LANDEROS-Vargas

4 STATEMENT OF FACTS

5 The complainant states that this complaint is based upon the statements of the  
6 apprehending officers, that the Defendant was found and arrested on or about July  
7 28, 2008 near Andrade, California. Questioning of the Defendant by agents revealed  
8 that the Defendant was a citizen of Mexico, and was not in possession of valid  
9 documents allowing him to enter or remain in the United States.  
10

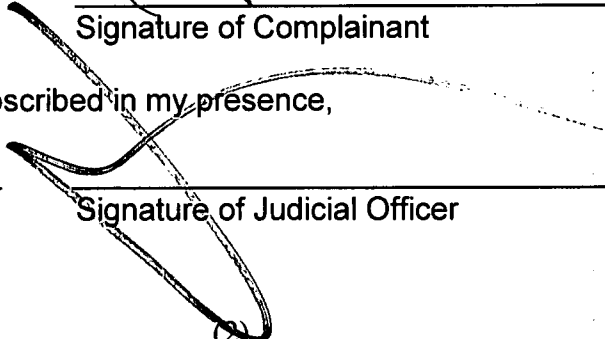
11  
12 By questioning the Defendant and through record checks, agents determined  
13 that on or about November 17, 2006 the Defendant had been removed from the  
14 United States through the port of San Ysidro, California, subsequent to a conviction in  
15 Superior Court, State of California, Sutter County, on or about January 8, 1990, for the  
16 crime of Rape by Force/Fear/Etc, an aggravated felony.  
17

18  
19 Agents determined that on or about July 28, 2008, the Defendant re-entered the  
20 United States without the Secretary of the Department of Homeland Security having  
21 consented to reapplication by the Defendant for admission into the United States.  
22

23   
Signature of Complainant

24 Sworn to before me and subscribed in my presence,

25 July 29, 2008  
26 Date

27   
Signature of Judicial Officer  
28 (2)